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10/757,609	01/14/2004	Dwayne Nelson	IGT1P213/P-657	4809
22434 BEYER WEAV	7590 06/04/2007 /ER LLP		EXAMINER	
P.O. BOX 7025	50		PINHEIRO, JASON PAUL	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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	Application No.	Applicant(s)	
	10/757,609	NELSON ET AL.	
Office Action Summary	Examiner	Art Unit	
	Jason Pinheiro	3714	
The MAILING DATE of this communication a Period for Reply	ppears on the cover sheet w	ith the correspondence addres	SS
A SHORTENED STATUTORY PERIOD FOR REF WHICHEVER IS LONGER, FROM THE MAILING - Extensions of time may be a vailable under the provisions of 37 CFR after SIX (6) MONTHS from the mailing date of this communication. - If NO period for reply is specified above, the maximum statutory perions after the reply within the set or extended period for reply will, by state that the provision of the provision of the main three months after the main tearned patent term adjustment. See 37 CFR 1.704(b).	DATE OF THIS COMMUNION 1.136(a). In no event, however, may a solution of will apply and will expire SIX (6) MONUTE, cause the application to become AE	CATION. reply be timely filed ITHS from the mailing date of this commu	
Status			
1) Responsive to communication(s) filed on	·		
2a) ☐ This action is FINAL . 2b) ☑ Th	nis action is non-final.		
3) Since this application is in condition for allow			erits is
closed in accordance with the practice unde	r <i>Ex parte Quayle</i> , 1935 C.D). 11, 453 O.G. 213.	
Disposition of Claims			
4) Claim(s) 6,7,9-24,39-43 and 47-65 is/are pe	nding in the application.		
4a) Of the above claim(s) is/are withd	rawn from consideration.		
5) Claim(s) is/are allowed.			
6)⊠ Claim(s) <u>6,7,9-24,39-43 and 47-65</u> is/are rej	ected.		
7) Claim(s) is/are objected to.	Var alastian requirement		
8) Claim(s) are subject to restriction and	i/or election requirement.		
Application Papers			
9)⊠ The specification is objected to by the Exami	ner.		
10)⊠ The drawing(s) filed on 14 January 2004 is/a	re: a)□ accepted or b)⊠ o	bjected to by the Examiner.	
Applicant may not request that any objection to the			
Replacement drawing sheet(s) including the corre			
11) The oath or declaration is objected to by the	Examiner. Note the attached	d Office Action of form P1O-1	152.
Priority under 35 U.S.C. § 119			
12) ☐ Acknowledgment is made of a claim for foreigna) ☐ All b) ☐ Some * c) ☐ None of:	gn priority under 35 U.S.C. {	§ 119(a)-(d) or (f).	
1. Certified copies of the priority docume			
2. Certified copies of the priority docume			•
3. Copies of the certified copies of the pr	•	received in this National Sta	ge
application from the International Bure * See the attached detailed Office action for a li		received	
See the attached detailed Office action for a li	st of the certified copies not	·	
Attachment(s)	o.□	O (DTO 442)	
1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(Summary (PTO-413) s)/Mail Date	
3) Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date 04/19/2004 & 05/12/2005	5) Notice of I 6) Other:	nformal Patent Application	

DETAILED ACTION

1. Preliminary amendment filed 09/01/2006 has been entered. After the amendment, claims 1-5, 8, 25-38, and 44-46 were cancelled. Claims 47-65 were newly added. As a result claims 6-7, 9-24, 39-43, and 47-65 are pending.

Drawings

2. The drawings are objected to because of the following informalities: figures 14, 15, 18, 23, and 25 do not accurately depict the flow of the routines that are described in the specification. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and

informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

- 3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "185" has been used to designate both SELECT and SEARCH in figure 11. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abevance.
- 4. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: "199" and "195" in figure 12, "210" and "208" in figure 13, and "630" in figure 25. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or

"New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

5. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: "70" in figure 4, and "438" in figure 19, and "630" in figure 25.

Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

6. The disclosure is objected to because of the following informalities:

Pg. 11, Line 18: the reference character "22e" should be changed to --48e--.

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Pg. 18, Line 21: the reference character "124" should be changed to --125--.

Pg. 26, Line 6: the reference character "161" should be changed to --171--.

Pg. 33, Line 3: "... back to block 221" should be changed to -- ... back to block 225--.

Pg. 37, Line 18: the reference character "436" should be changed to --438--.

Appropriate correction is required.

Claim Objections

7. Claims 7-17, 19-24, 39-43, and 49 objected to because of the following informalities:

Regarding claims 7-17 (Line 1), and 49 (Line 3): "A gaming apparatus..." should be changed to --The gaming apparatus...--.

Regarding claims 12, 14, and 23 (Line 2), claim 39 (Line 7), and claims 41, and 43 (Lines 1-2): "a casino gaming server" should be changed to --the casino gaming server--.

Regarding claim 22 "a master gaming server" (Line 2) should be changed to --the master gaming server--.

Regarding claims 19-24: "A gaming system..." (Line 1) should be changed to --The gaming system...-.

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Regarding claims 40-43: "A gaming method..." (Line 1) should be changed to --The gaming method...--.

Regarding claim 42: "a game display" (Lines 1-2) should be changed to --The game display...-.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

- 8. The following is a quotation of the second paragraph of 35 U.S.C. 112:

 The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
- 9. Claims 6 (Lines 12, and 16), 11 (Lines 2-3), 12 (Line 3), 13 (Lines 1-2), 39 (Lines 5-6, and Line 9), 41 (Line 3), and 49 (Lines 1 and 3) recite the limitation "said server information". There is insufficient antecedent basis for this limitation in the claims.
- **10.** Claims 10 (Line 5), 11 (Line 3), and 40 (Lines 4-5) recite the limitation "said one or more casino gaming servers" in line 5. There is insufficient antecedent basis for this limitation in the claim.
- 11. Claim 39 recites the limitation "said video image" in line 14. There is insufficient antecedent basis for this limitation in the claim.
- 12. Claims 51 (Line 2), and 53 (Line 1), recite the limitation "the server information". There is insufficient antecedent basis for this limitation in the claims.

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Claim Rejections - 35 USC § 103

- 13. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 14. Claims 6-7, 9-13, 15-19, 22-24, 39-43, and 47-65 are rejected under 35 U.S.C. 103(a) as being unpatentable over Peterson et al (US 2003/0027639) in view of Walker et al (US 2003/0003988).

Regarding claims 6, and 39: Peterson '639 discloses A gaming apparatus comprising: a display unit (14a, Fig. 4); a value input device (Paragraph [0021]); a controller operatively coupled to said display unit and said value input device, said controller comprising a processor and a memory operatively coupled to said processor (Paragraph [0023]), said controller being programmed to receive data representing server information regarding a plurality of casino gaming servers (Paragraph [0056]), said controller being programmed to organize said plurality of casino gaming servers, wherein said controller organizes said plurality of casino gaming servers according to said server information data (Paragraph [0056]), said controller being programmed to select a casino gaming server from among said plurality of casino gaming servers, wherein said controller makes said selection according to one of the following: said organization of casino gaming servers or said server

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information data (Paragraph [0056]), said controller being programmed to receive gaming data from said selected casino gaming server (Paragraph [0016] & Paragraph [0054]), said controller being programmed to cause said display unit to generate a game display relating to one of the following games: poker, blackjack, slots, keno or bingo (Paragraph [0003] & Paragraph [0023]). However Peterson does not disclose that the controller is programmed to determine a value payout associated with an outcome of said game.

Walker '988 does disclose that the controller is programmed to determine a value payout associated with an outcome of said game (Paragraph [0047]).

Therefore it would have been obvious to one skilled in the art at the time the invention was made to integrate the value payout of Walker into the gaming device of Peterson in order to create a more exciting game for a player to play, by offering an award for winning.

Regarding claim 7: Peterson and Walker disclose that which is discussed above. However Peterson does not disclose that the display unit comprises a video display unit that is capable of generating video images.

Walker '988 does disclose that the display unit comprises a video display unit that is capable of generating video images (Paragraph [0047]).

Therefore it would have been obvious to one skilled in the art at the time the invention was made to integrate the video display of Walker into

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the gaming device of Peterson in order to create a more appealing game for a player to play.

Regarding claim 7: Peterson and Walker disclose that which is discussed above. However Peterson does not disclose that the display unit comprises at least one mechanical slot machine reel.

Walker '988 does disclose that the display unit comprises at least one mechanical slot machine reel (Paragraph [0047]).

Therefore it would have been obvious to one skilled in the art at the time the invention was made to integrate the mechanical slot of Walker into the gaming device of Peterson in order to create a more interesting game for a player to play.

Regarding claims 10, 40, 50, 56, and 61: Peterson and Walker disclose that which is discussed above. Peterson further discloses said controller is programmed to cause said display unit to generate a display relating to one or more of said plurality of casino gaming servers, wherein said controller is programmed to allow a person to select one of said casino gaming servers from among said one or more casino gaming servers (Paragraph [0056]).

Regarding claim 11, and 62: Peterson and Walker disclose that which is discussed above. Peterson further discloses that said controller is programmed to cause said display unit to generate a display relating to said server information data for each of said one or more casino gaming servers (Paragraph [0056]).

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Regarding claims 12, 41, 52, 57, and 63: Peterson and Walker disclose that which is discussed above. Peterson further discloses that said controller is programmed to automatically select a casino gaming server from said plurality of casino gaming servers based on said server information data (Paragraph [0056]).

Regarding claims 13, 53, 58, and 64: Peterson and Walker disclose that which is discussed above. Peterson further discloses that said server information data relates to at least one of the following factors for each of said plurality of casino gaming servers: data transfer rate, responsiveness, identification, load, geographic location, network subnet data, description, available gaming data and gaming data size (Paragraph [0056]).

Regarding claims 15, and 42: Peterson and Walker disclose that which is discussed above. Peterson further discloses that said gaming data relates to at least one of the following games: poker, blackjack, slots, keno or bingo (Paragraph [0003] & Paragraph [0023]).

Regarding claims 16, 54, 59, and 65: Peterson and Walker disclose that which is discussed above. Peterson further discloses that said gaming data relates to at least one of the following: a new game, a software update (Paragraph [0039]) and configuration data (Paragraph [0019]).

Regarding claim 17: Peterson and Walker disclose that which is discussed above. Peterson further discloses that said controller is programmed to cause said display unit to generate said game display from said gaming data (Paragraph [0019]).

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Regarding claim 18: Peterson and Walker disclose that which is discussed above. Peterson further discloses that said gaming apparatuses being interconnected to form a network of gaming apparatuses (Paragraph [0023]).

Regarding claim 19: Peterson and Walker disclose that which is discussed above. Peterson further discloses that said plurality of casino gaming servers; and a master gaming server, wherein said controller is programmed to communicate with said master gaming server (Paragraph [0037]).

Regarding claim 22: Peterson and Walker disclose that which is discussed above. Peterson further discloses that one or more of said plurality of gaming apparatuses is a master gaming server (Paragraph [0037]), wherein said controller of said one or more gaming apparatuses is programmed to provide a list of said plurality of casino gaming servers to other gaming apparatuses (Paragraph [0056]).

Regarding claim 23: Peterson and Walker disclose that which is discussed above. Peterson further discloses that one or more of said plurality of gaming apparatuses is a casino gaming server (Paragraph [0037]), wherein said controller of said one or more gaming apparatuses is programmed to provide gaming data to other gaming apparatuses (Paragraph [0016] & Paragraph [0054]).

Regarding claim 24: Peterson and Walker disclose that which is discussed above. Peterson further discloses that said gaming apparatuses are interconnected via the Internet (Paragraph [0040]).

Regarding claim 43: Peterson and Walker disclose that which is discussed above. Peterson further discloses selecting a casino gaming server based on at least one of the following: data transfer rate, responsiveness, identification, load, geographic location, network subnet data, description, available gaming data and gaming data size (Paragraph [0056]).

Regarding claim 47: Peterson discloses providing server information data regarding a plurality of servers including the server gaming apparatus and one or more gaming servers, the server information data including comparative data for one or more server parameters (Paragraph [0056]); receiving a selection, made according to the server information data, of the server gaming apparatus from the plurality of servers, the selection designating the server gaming apparatus for download of the gaming data (Paragraph [0056]); sending a request message to the selected server gaming apparatus, the request message requesting the gaming data (Paragraph [0023]); receiving the requested gaming data over the communications path from the selected server gaming apparatus (Paragraph [0023]). However Peterson does not disclose that responsive to playing of a player wager, causing output of an

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outcome of a game of chance in accordance with the received gaming data, and issuing a value payout for play of the game of chance.

Walker does disclose that responsive to playing of a player wager (Paragraph [0021]), causing output of an outcome of a game of chance in accordance with the received gaming data (Paragraph [0047]), and issuing a value payout for play of the game of chance (Paragraph [0047]).

Therefore it would have been obvious to one skilled in the art at the time the invention was made to integrate the teachings of Walker into the gaming device of Peterson in order to create a more exciting game for a player to play by including wagers and payouts during the game.

Regarding claim 48: Peterson and Walker disclose that which is discussed above. However Peterson does not disclose that the value payout is associated with the outcome of the game of chance.

Walker '988 does disclose that the value payout is associated with the outcome of the game of chance. (Paragraph [0047]).

Therefore it would have been obvious to one skilled in the art at the time the invention was made to integrate the teachings of Walker into the gaming device of Peterson in order to create a more exciting game for a player to play by including payouts based on the outcome of the game of chance.

Regarding claim 49: Peterson and Walker disclose that which is discussed above. Peterson further discloses receiving the server information data from a gaming apparatus selected from the group

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consisting of: the client apparatus, the server gaming apparatus, and a further gaming apparatus.

Regarding claim 55: Peterson discloses receiving a request message for the gaming data from the client gaming apparatus (Paragraph [0023]), the request message based on a selection of the server gaming apparatus from a plurality of severs (Paragraph [0056]), the selection designating the server gaming apparatus for download of the gaming data (Paragraph [0023]), the selection made according to server information data regarding the plurality of servers (Paragraph [0056]), the server information dam including comparative data for one or more server parameters (Paragraph [0056]); and responsive to the request message, sending the gaming data to the client gaming apparatus over the communications path (Paragraph [0056]). However Peterson does not disclose an outcome of a game of chance capable of being output on the client gaming apparatus in accordance with the sent gaming data

Walker does disclose an outcome of a game of chance capable of being output on the client gaming apparatus in accordance with the sent gaming data responsive to placing of a wager (Paragraph [0047]).

Therefore it would have been obvious to one skilled in the art at the time the invention was made to integrate the teachings of Walker into the gaming device of Peterson in order to create a more exciting game for a player to play.

Regarding claim 60: Peterson discloses a display (14a, Fig. 4), a wager input device and a value output device (Paragraph [0021]); a controller operatively connected to the display, the wager input device, and the value output device the controller including a processor programmed to (Paragraph [0023]); retrieve server information data regarding a plurality of servers including the server gaming apparatus and one or more gaming servers, the server information data including comparative data for one or more server parameters (Paragraph [0056]); receiving a selection, made according to the server information data, of the server gaming apparatus from the plurality of servers (Paragraph [0056]), the selection designating the server gaming apparatus for download of the gaming data (Paragraph [0023]), and generate a request message for the gaming data (Paragraph [0023]); and a communications interface coupled to: send the request message to the selected server gaming apparatus, and receive the requested gaming data from the selected server gaming apparatus over the communications path (Paragraph [0023]). However Peterson does not disclose that the processor of the controller is further programmed to: responsive to placing of a player wager using the wager input device, output an outcome of a game of chance to the display, in accordance with the received gaming data, and issue a value payout to the value output device for play of the game of chance.

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Walker does disclose that the processor of the controller is further programmed to: responsive to placing of a player wager using the wager input device, output an outcome of a game of chance to the display, in accordance with the received gaming data, and issue a value payout to the value output device for play of the game of chance (Paragraph [0047]).

Therefore it would have been obvious to one skilled in the art at the time the invention was made to integrate the teachings of Walker into the gaming device of Peterson in order to create a more exciting game for a player to play.

15. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Peterson et al (US 2003/0027639) in view of Walker et al (US 2003/0003988) as applied to claim 6 above, and further in view of Grimm et al (US 6345297).

Peterson and Walker disclose that which is discussed above.

However neither Peterson nor Walker disclose that said controller is programmed to discard a casino gaming server from said plurality of casino gaming servers as an option for selection based on a threshold value, said threshold value relating to at least one of the following factors: data transfer rate, responsiveness, load, geographic proximity, network subnet data, available gaming data and gaming data size.

Grimm '297 does disclose that said controller is programmed to discard a casino gaming server from said plurality of casino gaming servers as an option for selection based on a threshold value (Col. 6, Lines 10-43), said threshold value relating to at least one of the following

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factors: data transfer rate, responsiveness, load, geographic proximity, network subnet data, available gaming data and gaming data size (Col. 3, Lines 1-25).

Therefore it would have been obvious to one skilled in the art at the time the invention was made to integrate the teachings of Grimm into the combined teachings of Walker and Peterson in order to create a more reliable server selection process and therefore a more reliable game apparatus.

16. Claims 20-21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Peterson et al (US 2003/0027639) in view of Walker et al (US 2003/0003988) as applied to claims 6, 18, and 19 above, and further in view of Crumby (US 6638170).

Regarding claim 20: Peterson and Walker disclose that which is discussed above. However neither Peterson nor Walker disclose a network server, wherein said controller is programmed to provide said network server with a gaming apparatus identification and data to authenticate said gaming apparatus identification, wherein said controller is programmed to receive a network identification from said network server if said network server accepts said gaming apparatus identification and said data to authenticate said gaming apparatus identification, and wherein said controller is programmed to communicate with said master gaming server using said network identification.

Crumby '170 does disclose a network server (Col. 2, Lines 15-20), wherein said controller is programmed to provide said network server with a gaming apparatus identification and data to authenticate said gaming apparatus identification, wherein said controller is programmed to receive a network identification from said network server if said network server accepts said gaming apparatus identification and said data to authenticate said gaming apparatus identification (Col. 6, Lines 10-46), and although Crumby does not disclose communicating with the master gaming server using the network identification, he does disclose using it to communicate with the network server and it would have been an obvious modification to do use the same network identification to communicate with the master server as well in order to create a more secure gaming network.

Therefore it would have been obvious to one skilled in the art at the time the invention was made to integrate the teachings of Crumby into the combined teachings of Walker and Peterson in order to create a more reliable server selection process and therefore a more secure gaming network.

Regarding claim 21: Peterson and Walker disclose that which is discussed above. However neither Peterson nor Walker disclose that said controller is programmed to receive network server authentication data from said network server, wherein said controller is programmed to determine if said network server authentication data is authentic for said network server, and wherein said controller is programmed to accept said

network identification if said network server authentication data is authentic for said network server.

Crumby '170 does disclose that said controller is programmed to receive network server authentication data from said network server, wherein said controller is programmed to determine if said network server authentication data is authentic for said network server, and wherein said controller is programmed to accept said network identification if said network server authentication data is authentic for said network server (Col. 6, Lines 10-46).

Therefore it would have been obvious to one skilled in the art at the time the invention was made to integrate the teachings of Crumby into the combined teachings of Walker and Peterson in order to create a more reliable server selection process and therefore a more secure gaming network.

Conclusion

17. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Wells et al discloses a method for downloading data to game devices; Rothschild et al disclose an online gaming architecture; de Waal et al disclose a method and apparatus for providing customizable player bonuses; Matsuzaki et al disclose a group admission system and server and client thereof; Jokipii et al disclose a method and system for providing access to and administering online gaming leagues and tournaments; Walker '794 discloses a system and method for remote automated play of a gaming device; and Berg discloses a method and system for communication an information packet though multiple networks.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason Pinheiro whose telephone number is 571-270-1350. The examiner can normally be reached on M - F 8:00 AM - 4 PM;

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pezzuto can be reached on (571) 272-6996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JP 05/16/2007

> KIM NGUYEN PRIMARY EXAMINER